

**RECEIVED
CENTRAL FAX CENTER****NOV 24 2003**S/N: 09/398,289PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE**OFFICIAL**

Applicant: Haim Zvi Melman Attention: Kim Y. Vu
Jean M. Corrielus

Serial No.: 09/398,289 Group Art Unit: 2172

Filed: September 20, 1999 Fax: (703) 746-7238
(703) 746-7239

Title: APPARATUS AND METHOD FOR SEARCH AND RETRIEVAL OF
DOCUMENTS

Memorandum

Assistant Commissioner for Patents
Washington, DC 20231

November 23, 2003

Dear Sir or Madam:

This fax is directed to you as I ceased to receive any responses to my communication from Mr. Shahid Al Alam following my filing of an appeal.

Could you please help me in this matter to get the file on track and handled as required.

Allow me please to present the role of events:

9/27/1998	Patent application 126373 filed in the Israeli Patent Office
9/3/1999	I sent a request to file a patent application in USPTO with the Israeli priority date
9/20/1999	Application was filed in the USPTO as 09/398,289
2/17/2000	Following a trip for one year to the USA I assigned the power of attorney to Eitan, Pearl, Latzer & Cohen-Zedek to follow-up on the application while I was away

	from my correspondence address in Israel.
8/28/2001	Office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
11/23/2001	I was back in Israel and took-over the handling of the application. I sent a reply was sent to Mr. Shahid Al Alam stating that I handled the reply myself. The reply disclosed, in details, that the statements presented by Mr. Alam from the references had no ground and were not existing in the references. Mr. Alam was requested to allow the claim accordingly.
4/10/2002	A final office action from Mr. Shahid Al Alam was sent to Eitan, Pearl, Latzer & Cohen-Zedek.
6/20/2002	I had an interview with Mr. Alam where he stated, for example, that a claim 1 can not be accepted as it is too broad and is also omnibus. I could not understand a "too broad" as a basis for rejecting a claim. Also, I could not see that any claim was omnibus. The interview did not provide any insight to the office action.
7/9/2002	A reply to the offices action was faxed to Mr. Alam. The reply presented in details that Mr. Alam misquoted from the references and presented it in a misleading interpretation enabled by misquoting. The record of the interview of 6/20/2002 was attached to the reply. A reference was made to USPTO definition of omnibus to show there was no ground for Mr. Alam to present claim 1 as omnibus.
8/23/2002	Change of Address was filed representing myself for correspondence matters.
10/9/2002	Appeal forms submitted
10/24/2002	Message sent to <u>myself</u> : A notice of Appeal was filed 10/9/2002
2/10/03	Mr. Alam send a notice to <u>myself</u> suggesting to find an attorney to file the Appeal Brief.
2/11/2003	Appeal Brief that I prepared by myself was submitted
4/1/2003	Mr. Alam sent a notification of non-compliance of the Appeal Brief to <u>Eitan, Pearl, Latzer & Cohen-Zedek</u> .

	<u>Latzer & Cohen-Zedek</u> instead of myself.
5/11/03	I sent a fax to Mr. Alam indicating to him the lost of time due to sending the non-compliance to the wrong address. I also indicated to Mr. Alam that representing myself releases me from the requirement to comply with <u>37 CFR 1.192(c)</u> (http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1206.htm#sect1206)
6/5/2003	A letter was sent from Welsh & Flaxman LLC presenting that Mr. Alam contacted them as being listed as attorney of record in the file (which they did not understand). They wrote me that Mr. Alam
6/16/2003	I wrote Mr. Alam a fax including a Revocation of Power of Attorney form to resolve the new communication halt.
7/29/2003	I faxed a memo to Mr. Alam requesting for response to my 6/16/2003 fax and file status statement.
9/28/2003	I faxed a second memo.
11/23/2003	As of today I received no response.

May I mention also that another patent application 09/492,863 examined by Mr. Alam was removed by a Notice of Abandonment mailed 25 September 2002 indicating that applicant failed to reply to the office action mailed on 31 January 2002.

I proved that I faxed a reply on time: 3 April 2002. I sent the reply to two fax numbers 703-746-7239 and 703-308-6606 and the abandonment was canceled. Mrs. Lesley Wong found the faxes in place on USPTO computers at now time. Yet, none of the replies arrived at Mr. Alam's desk enabling an abandonment notice.

My fax number and email address is provided here to enable fast and simple way to deliver any information: +972-9-7679699, haim@infobit.com.

Sincerely,

Haim Melman / Inventor.

